

## Stark County Planning and Zoning Commission Minutes

April 26, 2018  
3:00 PM

Chairman Russ Hoff called the meeting of the Stark County Planning and Zoning Commission to order. Chairman Russ Hoff, Jay Elkin, Scott Decker, Kurt Froelich, Duane Grundhauser Sue Larsen, Daneen Dressler and Byron Richard were present, and absent were Klayton Oltmanns. Also present were County Planner Steve Josephson, States Attorney Tom Henning and Nicole Roberts of the Auditor's office.

Kurt Froelich moved to approve the minutes from the March 29, 2018 meeting. Jay Elkin seconded. All voted Aye and motion carried.

Chairman Hoff opened the public hearing on a request from Brad Hartigan. The request is for a zoning change from Agriculture to Rural Residential on a property located at 4350 117<sup>th</sup> Avenue SW in the NW ¼ of Section 10, Township 138, Range 97 containing approximately 40 acres.

Chairman Hoff asked anyone to speak either for or against the zoning change for Brad Hartigan. Chairman Hoff closed the public hearing.

Duane Grundhauser moved to recommend to the Stark County Board of Commissioners the approval for the zoning change from Agriculture to Rural Residential on a property located at 4350 117<sup>th</sup> Avenue SW in the NW ¼ of Section 10, Township 138, Range 97 containing approximately 40 acres following staff recommendations for Brad Hartigan.

Jay Elkin seconded. Roll call vote. All voted Aye and the motion carried.

**STAFF RECOMMENDATION:** Approval of the proposed rezoning based upon the following finding:

- The proposed rezoning is consistent with the development pattern in the vicinity.

The request is consistent with the following objectives of the Stark County Comprehensive Plan:

- LAND USE-Strive to protect the agricultural integrity of rural areas; and
- LAND USE-Avoid conflicts between land uses.

Chairman Hoff opened the public hearing on a request from Jessica Anderson-Fricks and Jason Morrell. The request is for a variance to the minimum lot size for the Rural Residential zoning district and the minimum rear yard setback requirement on a property located at 9289 Highway 10 in the NW ¼ of the SW ¼ of Section 34, Township 140, Range 93 containing approximately 3.69 acres. The applicants are specifically asking for the following:

- A variance to the minimum lot size for the Rural Residential zoning district as listed in Chapter 5.3 of the Stark County Zoning Ordinance. As the applicants' lot is 3.69 acres this would result in a variance of 1.31 acres; and
- A variance to the minimum rear yard setback in both the Agriculture and Rural Residential zoning districts from 50 feet to 0 feet.

Chairman Hoff asked anyone to speak either for or against the variance to the minimum lot size for Jessica Anderson-Fricks and Jason Morrell. Chairman Hoff closed the public hearing.

Scott Decker moved to recommend to the Stark County Board of Commissioners the approval for the variance to the minimum lot size for the Rural Residential zoning district and for the rear yard setback requirement on a property located at 9289 Highway 10 in the NW ¼ of the SW ¼ of Section 34, Township 140, Range 93 containing approximately 3.69 acres following staff recommendations for Jessica Anderson-Fricks and Jason Morrell.

Daneen Dressler seconded. Roll call vote. All voted Aye and the motion carried.

**STAFF RECOMMENDATION:** Approval of the proposed variances based upon the findings listed above and subject to the following conditions.

- 1. The property owners may request building permits to repair the existing structures on the property but will be required to rezone the property if they wish to expand or replace existing structures and/or request a conditional use permit.**

Under Planner Items County Planner Steve Josephson gave a brief presentation regarding amending the Zoning Ordinance to address medical marijuana. County Planner Josephson handed out a recent draft medical marijuana ordinance and asked the Planning and Zoning Board for discussion and direction. General direction was for staff to continue to work on draft zoning ordinance changes based upon the comments and input from the Planning and Zoning Board as well as comments from the Stark County Sheriff's Office.

Kurt Froelich moved to adjourn, Duane Grundhauser seconded.